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PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference BCT020137	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/000008	International filing date (day/month/year) 03 janvier 2003 (03.01.2003)	Priority date (day/month/year) 07 janvier 2002 (07.01.2002)
International Patent Classification (IPC) or national classification and IPC H04Q 7/22, 7/38		
Applicant NORTEL NETWORKS LIMITED		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 21 mai 2003 (21.05.2003)	Date of completion of this report 07 April 2004 (07.04.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

☒ the international application as originally filed.

☐ the description, pages 1-33, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☐ the claims, Nos. 1-39, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.

☐ the drawings, sheets/fig 1/9-9/9, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-39	YES
	Claims		NO
Inventive step (IS)	Claims	1-39	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-39	YES
	Claims		NO

2. Citations and explanations

Claim 1 relates to a method for controlling communication channels between a base station and terminals in a radio communication network (e.g. UMTS).

According to the invention, a list of shared (signalling or traffic) channels consisting of a plurality of sets of shared channels is assigned to the base station. For a communication session between a base station and a terminal, the terminal is informed by a control unit of the list of shared channels assigned to the base station. Finally, the base station selects one of said sets of shared channels and informs the terminal of the selected set via a dedicated communication channel. As a result, channel selection is performed in a practically self-contained manner by the base station, with no intervention by the control unit, which merely informs the terminal of the list of shared channels assigned to the base station. No such method enabling greater flexibility in the management of shared channels for use between a base station and terminals is described or suggested by any of the prior art documents cited in the international search report, whether considered alone or in combination. These documents generally relate to the principle of using shared channels in systems such as CDMA/UMTS, with no indication of how the channels are assigned, as claimed.

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It follows that the subject matter of independent claim 1 is novel and also considered to involve the required inventive step (PCT Article 33(2) and (3)). The subject matter of claim 1 is also industrially applicable.

The above observations are also applicable to **independent claims 19 and 32**, which relate to a base station and a terminal, respectively, for carrying out the method as per claim 1. Therefore, said claims also comply with the requirements of PCT Article 33.

Dependent claims 2 to 18, 20 to 31 and 33 to 39 relate to additional details of the subject matter defined in the independent claims on which they are dependent, and consequently also comply with the requirements of PCT Article 33(1).